

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

JAMES G. BELSHAW and
ELIZABETH STALEY,

Plaintiffs,

v.

Case No. 1:22-cv-324 KRS/LF

CRAIG A. YOST, LISA A. YOST,
MARTHANNE REINHARD, and
VILLAGE OF CORRALES,

Defendants.

ORDER FOR ADDITIONAL BRIEFING

THIS MATTER comes before the Court *sua sponte* and upon review of Plaintiffs' Surreply, (Doc. 67). In the Court's Memorandum Opinion and Order, (Doc. 59), the Court granted in part Defendant Village of Corrales' Motion to Dismiss or in the Alternative for Summary Judgment, (Doc. 28), and dismissed Plaintiffs' claims asserted under the New Mexico Constitution, their Equal Protection claim, and their request for a Writ of Mandamus. The Court reserved ruling on Plaintiffs' Procedural Due Process and Substantive Due Process claims asserted under the U.S. Constitution (Count X), and allowed Plaintiffs to file a limited surreply to address two issues: (1) whether the process they were afforded, including the appeals process and any post-deprivation process, was constitutionally adequate; and (2) whether they have asserted a property interest entitled to due process protection. (Doc. 59) at 33. Plaintiffs filed their Surreply on January 5, 2023, (Doc. 67). Having considered Plaintiffs' Surreply, the Court finds that a response from Defendant Village of Corrales would be helpful in resolving these remaining claims.

IT IS THEREFORE ORDERED that Defendant Village of Corrales shall file a response to Plaintiffs' Surreply, (Doc. 67), **by February 10, 2023.**

Kevin Sweazea

KEVIN R. SWEAZEA
UNITED STATES MAGISTRATE JUDGE